

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TRITON IP, LLC,

Plaintiff,

V.

Civil Action No. 6:06-CV-192 (LED)

MICROSOFT CORPORATION, ET. AL.,

JURY DEMANDED

Defendants.

**TRITON IP, LLC'S REPLY TO SAP AG AND
SAP AMERICA, INC.'S COUNTERCLAIMS**

TRITON IP, LLC (“Triton”), plaintiff in the above-entitled and numbered civil action, files its reply to SAP AG AND SAP America, Inc.’s (collectively “SAP”) counterclaims filed on August 7, 2006, and states as follows:

1. SAP incorporated by reference its answers and affirmative defenses, which require no reply.
2. Triton admits the allegations in paragraph 2.
3. Triton admits the allegations in paragraph 3.
4. Triton admits the allegations in paragraph 4.
5. Triton admits the allegations in paragraph 5.
6. Triton admits the allegations in paragraph 6.
7. Triton admits the allegation in paragraph 7 that an actual controversy exists.
8. Triton denies the allegations in paragraph 8.
9. Triton admits the allegation in paragraph 9 that an actual controversy exists.

10. Triton denies the allegations in paragraph 10.
11. Triton admits the allegation in paragraph 11 that an actual controversy exists.
12. Triton denies the allegations in paragraph 12.
13. Triton denies the allegations in paragraph 13.

REPLY TO “RELIEF DEMANDED”

14. Triton denies that SAP is entitled to any relief whatsoever, and, therefore, denies SAP’s requests for relief in its entirety.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Triton requests the following relief:

- a. The dismissal of SAP’s counterclaims for declaratory relief;
- b. Judgment finding that SAP infringes the patents subject to this suit;
- c. Judgment finding that the patents subject to this suit are valid and enforceable;
- d. An award of Triton’s attorney’s fees and costs, together with pre-judgment and post-judgment interest in the maximum amount provided by law; and
- e. All other relief to which Triton may be entitled.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 28th day of August, 2006.



Eric M. Albritton